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Agenda item 4

Recommendations for achieving the objective of nuclear disarmament and non-proliferation of nuclear weapons

Working paper submitted by the Chairman

I. Introduction

1. At its 2006 session, the Disarmament Commission considered item 4 of its agenda, entitled "Recommendations for achieving the objective of nuclear disarmament and non-proliferation of nuclear weapons", in the light of relevant provisions of General Assembly resolutions on nuclear disarmament and non-proliferation. Member States identified the points set out below for further consideration in the course of the three-year cycle.

II. General principles for achieving the objective of nuclear disarmament and non-proliferation of nuclear weapons

2. Member States reaffirmed the following principles:

(a) The greatest threat to humanity derives from the continued existence of nuclear weapons and their possible use. The threat or use of nuclear weapons would be contrary to the rules of international law applicable to armed conflict, and in particular the principles and the rules of humanitarian law;

(b) The legitimacy of the demand for nuclear disarmament: the total elimination of nuclear weapons is the only absolute guarantee against the use or threat of use of nuclear weapons;

(c) The quest for systematic and concerted action with a view to achieving nuclear disarmament should be pursued with renewed determination;

(d) The maintenance of global strategic stability and "undiminished security for all" is the basis of nuclear disarmament;

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(e) Nuclear disarmament and non-proliferation of nuclear weapons are two closely interlinked aspects of that undertaking, and both serve the goal of the total elimination of nuclear weapons;

(f) The Treaty on the Non-Proliferation of Nuclear Weapons (NPT) is the cornerstone of the global non-proliferation regime and the essential foundation for the pursuit of nuclear disarmament. All Member States should adhere to and comply fully with NPT efforts towards the objective of nuclear disarmament, and measures for non-proliferation complement each other and should, wherever possible, be pursued simultaneously to promote regional and international peace and security;

(g) There is a close interrelationship between nuclear disarmament and non-proliferation and regional security situations;

(h) In the current international climate, preserving and strengthening the NPT is vital to peace and security;

(i) Multilateralism is a core principle in the area of disarmament and non-proliferation;

(j) The universality of existing multilateral treaties is indispensable for the efficiency of the efforts to achieve nuclear disarmament and non-proliferation of nuclear weapons;

(k) The transparency and verification and irreversibility of all measures in the field of nuclear disarmament and arms control are cornerstone principles of the progress in the field of nuclear disarmament and non-proliferation of nuclear weapons;

(l) After the end of the cold war, deterrence theory has lost its relevance. The prospect of an updating of strategic defence doctrines in a manner that sets out new rationales for the use of nuclear weapons, and the risk of nuclear-weapon proliferation, is a matter of great concern for all States;

(m) The weaponization of outer space will affect the global strategic balance and will foster an arms race. Its prohibition is an urgent task for the United Nations disarmament machinery;

(n) Non-compliance cannot be handled through a selective, discriminatory and non-symmetrical approach;

(o) A nuclear threat to one State or region is a threat to all States and all regions — indeed, to all humanity;

(p) It should be reaffirmed that all States have the inalienable right to use nuclear energy for peaceful purposes, without discrimination, in conformity with article IV of the Treaty and the International Atomic Energy Agency (IAEA) safeguard system, which is a fundamental pillar for consolidating and enhancing the compliance and verification system for the non-proliferation regime.

II. Recommendations

1. Recommendations for nuclear disarmament

1.1. Nuclear disarmament

(a) Nuclear disarmament should be achieved through gradual reduction of nuclear stockpiles towards a balance at a lower level in order to maintain global strategic balance and "undiminished security for all";

(b) All States should pursue a balanced and non-selective implementation of the NPT and the strict implementation of, and commitment by all States parties to, the measures agreed at the 1995 NPT Review and Extension Conference, especially the 13 practical steps for the systematic and progressive efforts to implement article VI of the Treaty;

(c) There is a need to negotiate a treaty to prohibit the deployment of nuclear weapons in outer space, as well as its military use;

(d) There is a need for an immediate commencement of negotiations on a fissile material cut-off treaty (FMCT);

(e) All States which have not yet done so should take necessary steps to sign and ratify the Comprehensive Nuclear-Test-Ban Treaty (CTBT), especially the two remaining nuclear-weapon States whose ratification was a prerequisite for its entry into force. Concrete steps should be undertaken to motivate the States concerned to sign and ratify the Treaty. Pending such entry into force, moratoriums on nuclear testing or any other nuclear explosions declared should be observed by all States;

(f) All nuclear-weapon States should commit themselves to stopping the qualitative improvement, development, production and stockpiling of nuclear weapons and their delivery systems, including those intended to be used in a scenario of conventional warfare;

(g) All nuclear-weapon States should take necessary steps towards the removal of the first-use posture from security doctrines and reach agreement on a legally binding international instrument on the joint undertaking not to be the first to use nuclear weapons, thus reducing the risk of nuclear accidents and nuclear wars;

(h) Nuclear-weapon-free zones should be established and nuclear-weapon States should make a commitment to withdraw their nuclear weapons from, and not to deploy them in, areas outside their national territories;

(i) The Moscow Treaty should be followed up by starting negotiations aimed at a succeeding treaty so that the number of nuclear weapons in the United States of America and the Russian Federation — as an intermediary step — could be counted in the hundreds and not in the thousands;

(j) An international conference should be convened at the earliest possible date, with the objective of arriving at an agreement on a phased programme for the complete elimination of nuclear weapons with a specified time frame to eliminate all nuclear weapons, to prohibit their development, production, acquisition, testing, stockpiling, transfer, use or threat of use, and to provide for their destruction.

1.2. Security assurances

(a) Further discussions on security assurances should take place in the Disarmament Commission, where all United Nations Member States are represented;

(b) These discussions should be aimed at the conclusion of a universal, unconditional and legally binding instrument on security assurances to non-nuclear-weapon States;

(c) The conclusion of such an instrument should be pursued as a matter of priority.

1.3. The role of the Conference on Disarmament

(a) The Conference on Disarmament should resume its substantive work and start negotiations on a programme for the complete elimination of nuclear weapons with a specified time frame with a view to concluding a legally binding international agreement on disarmament;

(b) The Conference on Disarmament should establish ad hoc committees on nuclear disarmament, security assurances to non-nuclear-weapon States and the prevention of an arms race in outer space;

(c) The Conference on Disarmament should undertake to break its present stalemate and implement a structured agenda for negotiating an FMCT and a treaty for the prohibition of the deployment of nuclear weapons in outer space, because it represents the most appropriate framework for negotiating such treaties.

1.4. Framework to achieve nuclear disarmament

(a) The disarmament machinery of the United Nations is the most appropriate framework for achieving nuclear disarmament;

(b) This machinery should integrate in its scope initiatives undertaken outside of the United Nations framework, such as the Proliferation Security Initiative, and the Global Threat Reduction Initiative taking into account the fact that ad hoc arrangements cannot be a substitute for steps agreed internationally with the full participation of all States;

(c) Each mechanism of this machinery should endeavour to perform its mandate efficiently and in synergy with other mechanisms;

(d) The Disarmament Commission should make recommendations to the Conference on Disarmament and to the General Assembly and should enhance its own efficiency by making use of the expertise of and scientific programmes on disarmament undertaken by the United Nations Institute for Disarmament Research.

2. Recommendations for non-proliferation of nuclear weapons

2.1. Non-proliferation of nuclear weapons

(a) All States should act in such a manner as to safeguard and strengthen the authority and effectiveness of the non-proliferation regime. The disarmament

machinery should address the current developments that might undermine the non-proliferation regime;

(b) All NPT States parties should take necessary measures to assess, in close cooperation with IAEA, and enforce compliance with the Treaty's prohibitions, and should identify and stop all violations as early as possible, well before they result in the actual manufacture or acquisition of a nuclear weapon;

(c) IAEA should act swiftly to halt technical assistance to and seek the return of any related materials from any IAEA member State that fails to remedy non-compliance with an IAEA safeguards agreement in a reasonable period of time;

(d) Participants in the Nuclear Suppliers Group should provide nuclear material, equipment and technology to non-nuclear-weapon States only if all of their peaceful nuclear activities are under IAEA safeguards and they are in full compliance with their nuclear non-proliferation obligations, including safeguards;

(e) IAEA should be the sole authority to verify compliance with obligations under the Treaty. Its role should be strengthened. Implementation of the Additional Protocol should be considered a key standard by which to measure a party's commitment to its non-proliferation obligations under the NPT;

(f) All States should continue to comply with, support the extension of and cooperate for the full implementation of Security Council resolution 1540 (2004), adopted on 28 April 2004, on preventing the proliferation of weapons of mass destruction and on strengthening export controls and nuclear material security;

(g) All efforts should be undertaken to eliminate the black market in nuclear material;

(h) All United Nations Member States should sign and ratify the International Convention for the Suppression of Acts of Nuclear Terrorism, facilitating its early entry into force;

(i) NPT States parties should address material violations of the Treaty's non-proliferation obligations through appropriate means, including a halt to nuclear cooperation with the offending State party. The role of the Security Council in case of non-compliance representing a threat to international peace and security should be strengthened in order that it can take appropriate action in the event of non-compliance with NPT obligations;

(j) Proper solutions to nuclear proliferation threats should be sought through cooperation and dialogue and other political and diplomatic means and should be conducive to maintaining international and regional peace and stability and strengthening the non-proliferation regime rather than undermining it;

(k) States parties to the NPT should work towards a fair balance between mutual obligations and responsibilities under the Treaty;

(l) States parties to the NPT should consider holding the first session of the Preparatory Committee in 2007 in Vienna. The second session would then be held in Geneva and the third in New York, in order to contribute to a better operation of the NPT.

2.2. Nuclear testing

(a) All States should become parties to the CTBT to ensure its universality and its efficiency and renounce nuclear testing;

(b) All States should support the activities of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization;

(c) The Preparatory Commission should carry on with the establishment of its monitoring system.

2.3. Nuclear-weapon-free zones

(a) Additional zones free of nuclear weapons and other weapons of mass destruction should be established especially in the Middle East, in accordance with Security Council resolution 487 (1981) and the relevant General Assembly resolutions;

(b) Broad consultations should be undertaken to establish such zones;

(c) The full participation of nuclear-weapon States is crucial for the effectiveness of such nuclear-weapon-free zones.

2.4. Safeguards and peaceful uses of nuclear energy

(a) All States should take steps towards achieving universal accession to the Comprehensive Safeguards Agreements and Additional Protocols and for the full implementation of article III of the NPT;

(b) Measures should be taken to strengthen the implementation of article IV of the NPT, which guarantees the inalienable rights of all States parties to develop research, production and use of nuclear energy for peaceful purposes;

(c) Measures should be taken to promote cooperation in the exchange of equipment, materials and scientific and technological knowledge and information on peaceful uses of nuclear technology;

(d) There is a need for IAEA to continue to pursue the goals of technical cooperation in peaceful applications of nuclear energy, to put in place necessary safeguards and verification regimes and to monitor compliance with them in accordance with the provisions of the NPT.